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9 Attorneys for Plaintiff

10 UNITED STATES DISTRICT COURT
11 NORTHERN DISTRICT OF CALIFORNIA
12 SAN FRANCISCO DIVISION

13 UNITED STATES OF AMERICA,)
14 Plaintiff,)
15 v.)
16 RAMON COFIELD,)
17 Defendant.)

No. CR 06 0547 CRB

**~~PROPOSED~~ ORDER AND
STIPULATION FOR CONTINUANCE
FROM SEPTEMBER 13, 2006 TO
OCTOBER 4, 2006 AND EXCLUDING
TIME FROM THE SPEEDY TRIAL
ACT CALCULATION**

19 With the agreement of the parties, and with the consent of the defendant, the Court enters
20 this order vacating the next hearing date before the district court currently set for September 13,
21 2006, and resetting the hearing date to October 4, 2006 at 2:15P.M. before the Honorable Charles
22 R. Breyer, and documenting the defendant's exclusion of time under the Speedy Trial Act, 18
23 U.S.C. § 3161, from September 13, 2006 to October 4, 2006. The parties agree, and the Court
24 finds and holds, as follows:

25 1. The defendant agrees to an exclusion of time under the Speedy Trial Act. Because the
26 defendant is currently in state custody and still unavailable to appear pending the execution of a
27 writ of habeas corpus ad prosequendum, time is appropriately excluded under § 3161(h)(3)(A).
28 Further, due to investigation into issues surrounding Mr. Cofield's state-court sentence and their

1 relationship to these charges, such time is necessary for the adequate preparation of defense
2 counsel. § 3161(h)(8)(A).

3 2. Given these circumstances, the Court finds, and the parties agree with the consent of
4 the defendant, that the ends of justice served by excluding the period from September 13, 2006 to
5 October 4, 2006 outweigh the best interest of the public and the defendant in a speedy trial. §
6 3161(h)(8)(A).

7 3. Accordingly, and with the consent of the defendant, the Court vacates the hearing
8 currently scheduled for September 13, 2006, and instead orders the parties to appear for an
9 hearing on October 4, 2006 at 2:15P.M.. The Court further orders that the period from
10 September 13, 2006 to October 4, 2006 be excluded from Speedy Trial Act calculations under 18
11 U.S.C. § 3161(h)(3)(A) & (h)(8)(A).

12
13 IT IS SO STIPULATED:

14
15 DATED: September 13, 2006

_____/s
MARK IVERSON, ESQ.
Attorney for Defendant

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17
18 DATED: September 13, 2006

_____/s
ROBERT DAVID REES
Assistant United States Attorney

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20
21 IT IS SO ORDERED.

22
23 DATED: Sept. 13, 2006

HON. CHARLES R. BREYER
United States District Judge

